

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE, ET AL.,

Plaintiffs,

v.

TATE REEVES, in his official capacity as
Governor of the State of Mississippi, ET AL.,

Defendants.

Case No. 3:23-cv-272-HTW-LGI

**MOTION TO EXPEDITE
DISCOVERY**

Pursuant to Fed. R. Civ. P. 26(d)(1), Plaintiffs respectfully move for expedited discovery as to Counts II, III, and IV in advance of a Rule 26(f) conference. The Court has not yet issued a Rule 16 Initial Order setting a deadline for the parties' 26(f) conference.

This motion is supported by Plaintiffs' memorandum in support, e-mails showing the State Defendants' refusal to have an attorney conference to start discovery (attached as Exhibit 1), and the Court's e-mails to counsel indicating that the only stay the Court issued for the attorney conference and discovery was dissolved as moot (attached as Exhibit 2).

As set forth in the accompanying memorandum, Plaintiffs' need for expedited discovery outweighs any prejudice to Defendants. By November 2023—in less than three months—Plaintiffs plan to use discovery from the State Defendants and certain non-parties to support a motion for a preliminary injunction on the remaining provisions of H.B. 1020 at issue, which take effect on January 1, 2024. Plaintiffs' upcoming and pending preliminary injunction motions require discovery as to Counts II, III, and IV, which challenge the authority for the Hinds County Circuit Court and CCID court judicial appointments and CCID prosecutor appointments. The requested discovery is narrow, for the limited purpose of supporting a preliminary injunction

motion, and not unduly burdensome. Plaintiffs are not seeking discovery from Defendant Randolph or anyone else whose party status is unresolved. The requested expedited discovery also comes after discovery typically would have commenced, not in advance of normal discovery.

Accordingly, Plaintiffs respectfully request that the Court grant the motion and expedite discovery as to Counts II, III, and IV in advance of a Rule 26(f) conference.

Respectfully submitted this 18th day of August, 2023.

/s/ Mark H. Lynch

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CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2023, I electronically filed the foregoing with the Clerk of the Court by using the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Brenden J. Cline

Brenden J. Cline